

01/24/02  
JC904 U.S. PTO

01-28-02

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CERTIFICATE OF EXPRESS MAIL

NUMBER EL 831787669 US

DATE OF DEPOSIT JANUARY 24, 2002

I hereby certify that this paper or fee is being deposited with the United States Postal Service EXPRESS MAIL POST OFFICE TO ADDRESSEE service under 37 C.F.R. 1.10 on the date indicated above and is addressed to: BOX PATENT APPLICATION, Assistant Commissioner for Patents, Washington, D.C. 20231.

*Paula S. Linkhart*  
Paula S. Linkhart

JC921 U.S. PTO  
10/056407  
01/24/02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Atty. Dkt. No.: INNS:011—1  
11362.0011.DVUS01

Prior Application Examiner:  
R. A. Zeman

BOX PATENT APPLICATION  
Commissioner for Patents  
Washington, D.C. 20231

Classification Designation:  
435-506

Prior Group Art Unit: 1645

REQUEST FOR FILING DIVISIONAL APPLICATION  
UNDER 37 C.F.R. § 1.53(b)

This is a request for filing a divisional application under Rule 53(b) (37 C.F.R. § 1.53(b)) of allowed prior application Serial No. 09/297,981 filed May 10, 1999, entitled "METHYLATED, SmD HOMOLOGOUS PEPTIDES, REACTIVE WITH THE ANTIBODIES FROM SERA OF LIVING BEINGS AFFECTED WITH SYSTEMIC LUPUS ERYTHEMATOSUS."

1. Enclosed is a copy of the prior application Serial No. 09/247,981 filed May 10, 1999 as originally filed, including specification, claims, drawings, and declaration. The undersigned hereby verifies that the attached papers are a true copy of the prior application as originally filed and identified above, that no

amendments (if any) referred to in the declaration filed to complete the prior application introduced new matter therein, and further that this statement was made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statement may jeopardize the validity of the application or any patent issuing thereon.

- (a)  The inventorship is the same as prior Application Serial No. 09/297,981.
- (b)  Deletion of inventor(s). Signed statement attached deleting inventor(s) named in the prior application, see 37 C.F.R. § 1.63(d)(2) and 1.33(b).
- (c)  Priority to PCT/EP98/05518, filed August 31, 1998 is claimed under 35 U.S.C. § 120 and 365(a)-(c). Priority to EP 97870127.4 filed August 29, 1997 is claimed under 35 U.S.C. §119(a)-(e). The certified copy:
- is enclosed.
- has been filed in the prior Application Serial No. 09/297,981

2. The Assistant Commissioner is requested to grant Applicants a filing date in accordance with Rule 1.53, and supply Applicants with a Notice of Missing Parts in due course, in accordance with the provisions of Rule 1.53(f).

3. Please charge **Deposit Account No. 01-2508/11362.0011.DVUS01** the amount of **\$1178.00** to cover the filing fee as calculated below and the fee for any new claims added in the Preliminary Amendment referred to in Part No. 9 below.

**CLAIMS AS FILED IN THE PRIOR APPLICATION**  
**LESS CLAIMS CANCELED BELOW**

FOR	NUMBER FILED	NUMBER EXTRA	RATE	FEE
Basic Fee -----				\$740.00
Total Claims	21 - 20 =	1 X	\$18	18.00
Independent Claims	8 - 3 =	5 X	\$84	420.00
Multiple Dependent Claim(s) -----				\$0.00
<b>TOTAL FILING FEES:</b>				<b>\$1178.00</b>

4. Applicant is entitled to Small Entity Status for this application.
- (a) A small entity statement is enclosed.
- (b) A small entity statement was filed in the prior nonprovisional application and such status is still proper and desired.
- (c) Small entity status is no longer claimed.
5. The Commissioner is hereby authorized to charge any fees under 37 C.F.R. §§ 1.16 to 1.21 which may be required for any reason relating to this application, or credit any overpayment to Deposit Account No. 01-2508/11362.0011.DVUS01.

6. Enclosed is a copy of the current Power of Attorney and Associate Power of Attorney in the prior application.

7. Address all future communications to:

Patricia A. Kammerer  
HOWREY SIMON ARNOLD & WHITE, LLP  
750 Bering Drive  
Houston, Texas 77057-2198  
(713) 787-1400

8. The prior application is presently assigned to INNOGENETICS N.V.

9. Enclosed is a preliminary amendment. Any additional fees incurred by this amendment are included in the check at No. 3 above and said fee has been calculated after calculation of claims and after amendment of claims by the preliminary amendment.

10. Cancel in this application claims 2-6, 10 and 14-22 of the prior application before calculating the filing fee. (At least one original independent claim must be retained).

11. Amend the specification by inserting before the first line the sentence: --This is a continuation of co-pending application Serial No. filed --.

12. Enclosed are formal drawings, Figs. 1-4 on 3 sheets.

- 13. An Information Disclosure Statement (IDS) is enclosed.
  - (a) PTO-1449.
  - (b) Copies of IDS citations.
- 
- 14. Transfer the sequence information, including the computer readable form previously submitted in the parent application, Serial No. 09/297,981 filed May 10, 1999, for use in this application.
- 
- 15. Other: \_\_\_\_\_.
- 
- 16. Return Receipt Postcard (should be specifically itemized).

Respectfully submitted,



Patricia A. Kammerer  
Reg. No. 29,775  
Attorney for Assignee  
INNOGENETICS N.V.

HOWREY SIMON ARNOLD & WHITE, LLP  
750 Bering Drive  
Houston, Texas 77057-2198  
(713) 787-1400

Date: January 24, 2002

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<p>I hereby certify that this paper or fee is being deposited with the United States Postal Service "EXPRESS MAIL POST OFFICE TO ADDRESSEE" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to: BOX PATENT APPLICATION, Assistant Commissioner for Patents, Washington, D.C. 20231.</p>	
 <u>Paula S. Linkhart</u> Paula S. Linkhart	

## PATENT

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Lydie Meheus  
 Reinhard Georg Lührmann  
 Ann Union  
 Joseph Raymackers

Serial No.:

Filed:

For: METHYLATED, SMD HOMOLOGOUS PEPTIDES, REACTIVE WITH THE ANTIBODIES FROM SERA OF LIVING BEINGS AFFECTED WITH SYSTEMIC LUPUS ERYTHEMATOSUS

Group Art Unit:

Examiner:

Atty. Dkt. No.: INNS:011--1  
 11362.0011.DVUS01

### BOX PATENT APPLICATION

Commissioner for Patents  
 Washington, D.C. 20231

Sir:

Submitted herewith is a computer readable form and a paper copy of the sequence listing of those sequences in the captioned patent application. The computer readable form of the sequence listing is the same as the paper copy of the sequence listing. The sequence information

provided in the Specification is also the same as the sequence listing of the enclosed computer readable and paper forms of the sequence listing.

In accordance with 37 C.F.R. § 1.821(g), it is herewith represented that no new matter is included with this submission.

Respectfully submitted,



Patricia A. Kammerer  
Reg. No. 29,775  
Attorney for Assignee  
INNOGENICS N.V.

HOWREY SIMON ARNOLD & WHITE, LLP  
750 Bering Drive  
Houston, Texas 77057-2198  
(713) 787-1400

Date: January 24, 2002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Lydie Meheus  
Reinhard Georg Lührman  
Ann Union  
Joseph Raymackers

Serial No.:

Filed: Herewith

For: METHYLATED SMD HOMOLOGOUS  
PEPTIDES, REACTIVE WITH THE  
ANTIBODIES FROM SERA OF LIVING  
BEINGS AFFECTED WITH SYSTEMIC  
LUPUS ERYTHEMATOSUS

Group Art Unit:

Examiner:

Atty. Dkt. No.: INNS:011--1  
11362.0011.DVUS01

**SUBMISSION OF FORMAL DRAWINGS**

**ATTN OFFICIAL DRAFTSMAN**

Commissioner for Patents  
Washington, D.C. 20231

Sir:

Applicant hereby submits the formal drawings Figs. 1-4 for the above-referenced application and requests that these drawings be accepted for filing.

Respectfully submitted,



Patricia A. Kammerer  
Reg. No. 29,775  
Attorney for Assignee  
INNOGENETICS N.V.

HOWREY SIMON ARNOLD & WHITE, LLP  
750 Bering Drive  
Houston, Texas 77057-2198  
(713) 787-1400

Date: January 24, 2002